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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/541,323	12/23/2005	Christophe Delaine	273902US6XPCT	1150
22850	7590	09/10/2008		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER BLACK, MELISSA ANN	
			ART UNIT 3612	PAPER NUMBER
			NOTIFICATION DATE 09/10/2008	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/541,323	<b>Applicant(s)</b> DELAINE, CHRISTOPHE	
	<b>Examiner</b> MELISSA A. BLACK	<b>Art Unit</b> 3612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 11-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/30/05</u> .   | 6) <input type="checkbox"/> Other: ____.                          |

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## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 16 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear what is meant by sleeve-joint arrangement (in claim 16). Examiner is interpreting that the lugs are the sleeves that snap into place creating a joint. If this is not correct please explain what is meant by this phrase.

### ***Specification***

3. The disclosure is objected to because of the following informalities: Page 9, line 2 “first part 1” should have a different number for 1 was already designated to the rear door.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 11, 13-15 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Pat # 6,534,713 to Kafer in view of US Pat # 6,135,538 to Serizawa et al.

Re Claims 11 and 19, Kafer discloses a cable-passage system between a body (4) and a door (2) of a motor vehicle, comprising: a flexible sheath (8) through which electric cables (10)

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pass and ends of which are joined respectively to an edge wall of the door (2) and to a fixed wall of the body (4), the sheath including an axially extensible part (18), a first end of which is fixed to the body and a second end of which is connected to the edge wall of a door on a border of a cable-passage orifice cut into the edge wall, such that the axially extensible part (18) of the sheath becomes longer when the door is opened, wherein the sheath (8) is prolonged (16) beyond the end of the axially extensible part that is fixed on the body (see Figure 1), via a part (16) that is deformable in flexion (column 4, line 3 and Column 3, line 60-61) and an end (22) of which is joined to the body at a level of the cable passage in the body wall (4). Re Claim 13, Kafer discloses wherein the end, joined to the body, of the part (16) of the sheath that is deformable in flexion is connected to a first connection element of an electrical connector (not labeled) configured to be coupled with a second connecting element of the electrical connector (22), which is fixed permanently on the body wall (4, Column 4, lines 5-8). Re Claim 14, Kafer discloses wherein the end of the axially extensible part (18) is fixed on the body wall (4) by a fixation member (@20) rigidly connecting a flange integral with the sheath (part 16) to the body wall (4, Column 4, lines 4-5), Re Claim 15, wherein the flange is formed in one piece with the sheath (part 16). Re Claim 20, where in Kafer disclose the cable passage system is provided on a motor vehicle with at least one door equipped with electric devices.

Re claims 11 and 19, Kafer fails to disclose that the cables have sufficient free length inside the door such that the cables can slide into the sheath to absorb length variations of the sheath during pivoting of the door and the cables emerging from the sheath on the door side slide freely into the axially extensible part of the sheath and are fixed inside the door with a free length between a point of fixation in the door and the end of the sheath fixed on the door that is

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sufficient to permit elongation of the sheath without pulling on the cables during opening of the door.

Serizawa et al teaches cables (28) have sufficient free length inside the door such that the cables can slide into the sheath to absorb length variations of the sheath during pivoting of the door (see Figure 2, Column 4, lines 10-16), and the cables emerging from the sheath on the door side slide freely into the axially extensible part of the sheath and are fixed inside the door with a free length between a point of fixation in the door and the end of the sheath fixed on the door that is sufficient to permit elongation of the sheath without pulling on the cables during opening of the door (See figure 2).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include the free length of cables inside the door as taught by Serizawa et al on the device of Kafer in order to prevent snapping or disconnecting of the wires from being pulled during stretching of the sheath.

6. Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Pat # 6,534,713 to Kafer as modified by US Pat # 6,135,538 to Serizawa et al in view of US Pat # 1,764,946 to Flynn.

Kafer, as modified, fails to disclose the fixation member is fixed on the body wall by an elastic sleeve-joint arrangement and the fixation member comprises a bracket that clamps the sheath, two lugs of the bracket passing into respective holes of the flange before the bracket is clipped into the body wall.

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Flynn teaches the use of an elastic sleeve-joint arrangement, wherein the bracket (6) comprises two lugs (9) of the bracket passing through respective holes (8) clipped to the body wall (2).

It would have been obvious to one with ordinary skill in the art to use the brackets of Flynn on the device of Kafer, as modified, since it is an obvious expedient in the art to exchange fasteners for other known fasteners. Furthermore since Kafer, as modified, already discloses the flanges with the holes for fasteners (20) it would be obvious that Kafer, as modified, is capable of using bracket (6) of Flynn.

7. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Pat # 6,534,713 to Kafer as modified by US Pat # 6,135,538 to Serizawa et al in view of US Pat # 6,328,498 to Mersch.

Kafer, as modified, disclose that the axially extensible part (18) is corrugated (figure 1).

Kafer, as modified, fails to disclose that the axially extensible part has a conical general shape, which flares out on the door side.

Mersch teaches the axially extensible part (1) has a conical general shape.

It would have been obvious to one with ordinary skill in the art at the time the invention was made to change the shape of the extensible part as taught by Mersch on the device of Kafer, as modified, in order to allow for more room for the cables to slide in and out.

8. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Pat # 6,534,713 to Kafer as modified by US Pat # 6,135,538 to Serizawa et al in view of US Pat # 6,312,046 to Sora et al.

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Kafer as modified fails to disclose the end of the sheath on the door side includes a groove that is countersunk into the border of the passage opening cut into the edge wall of the door to keep the sheath fixed in a sealed manner on the edge wall.

Sora et al. teach the end of the sheath on the door side (120) includes a groove that is countersunk into the border (See Figure 6) of the passage opening cut into the edge wall of the door to keep the sheath fixed in a sealed manner on the edge wall (121).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to include the countersink as taught by Sora et al on the device of Kafer, as modified, in order to prevent the connector from sticking out from the surface preventing damage and improving the appearance (column 6, lines 34-40).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MELISSA A. BLACK whose telephone number is (571)272-4737. The examiner can normally be reached on M-F 7:00-3:30 ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (571) 272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. A. B./  
Examiner, Art Unit 3612

/Hilary Gutman/  
Primary Examiner, Art Unit 3612